

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JANEL WORLD TRADE, LTD. AND
ORDER LOGISTICS, INC.

Plaintiff,

v.

WORLD LOGISTICS SERVICES, INC.,
RICHARD FRANCIS, and BRIAN
GRIFFIN

Defendants.

Civil Action No. 08-CV-1327


Judge Richard J. Sullivan

**DEFENDANT RICHARD FRANCIS' NOTICE OF MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED**

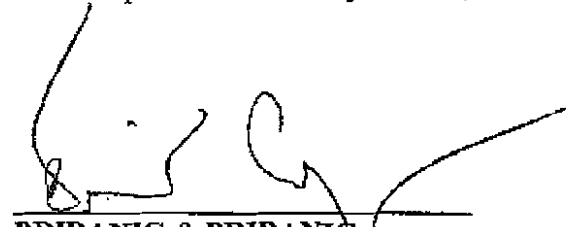
Pursuant to Federal Rule of Civil Procedure 12(b)(6) and 9(b), Defendant Richard Francis, by his counsel, hereby files this motion to dismiss the Complaint of Plaintiffs, Janel World Trade, Ltd. and Order Logistics, Inc. for the reasons stated in the Memorandum of Law Submitted in Support of the Motion to Dismiss the Complaint.

PLEASE TAKE NOTICE, that pursuant to the Court's Order dated May 1, 2008, any opposition shall be filed and served upon all parties of record by June 13, 2008, and any reply, if any, shall be filed and served upon all the parties of record by June 20, 2008.

DATED: May 23, 2008



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Attorneys for Defendant
Richard Francis

CERTIFICATE OF SERVICE

Juan E. Monteverde, under penalties of perjury, affirms as follows:

1. I am an associate at Levi & Korsinsky, LLP and I am over eighteen years of age and am not a party to the above referenced matter.

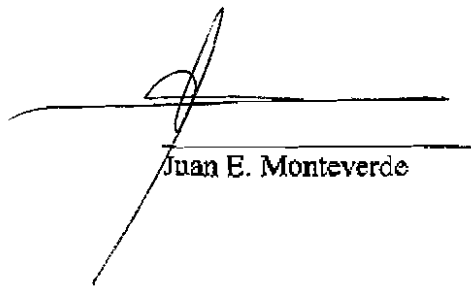
2. On May 23, 2008, I served the foregoing **MOTION TO DISMISS, MEMORANDUM IN SUPPORT AND DECLARATION OF VINCENT COPPOLA** in support, upon:

WILLIAM J. DAVIS
Scheichet & Davis, PC
767 Third Ave., 24th Floor
New York, NY 10017
Attorneys for Plaintiffs

ERIC S. HUTNER
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1359 Broadway, Suite 2001
New York, NY 10018
Attorneys for Defendant Brian P. Griffin

the address designated by said attorneys for that purpose, by depositing a true copy thereof, in a first class pre-paid envelope properly addressed as indicated above and Via ECF.

Dated: May 23, 2008



Juan E. Monteverde